

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

In re:

DVI, INC., *et al.*

Debtors.

THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS OF DVI INC., *et al.*,
al., on behalf of DVI INC., *et al.*,

Plaintiff,

- against -

U.S. BANK NATIONAL ASSOCIATION, f/k/a
FIRST TRUST NATIONAL ASSOCIATION, as
trustee, NOMURA CREDIT & CAPITAL, INC.,
FAIRWAY FINANCE CORPORATION, and
HARRIS NESBITT CORP. a/k/a BMO Nesbitt
Burns Corp.,

Defendants.

Chapter 11

Case Nos. 03-12656 through
03-12658

(Jointly Administered)

Adv. Pro. No. 03-59022

C.A. No. 04-0164 (JJF)

STIPULATION OF DISMISSAL OF APPEAL

IT IS HEREBY STIPULATED by and between the parties to this Action, pursuant to Federal Rules of Bankruptcy Procedure 8001(c)(2) and through their undersigned counsel, that the Appeal be dismissed.

STIPULATED AND AGREED:

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WOLF BLOCK SCHORR & SOLIS-COHEN

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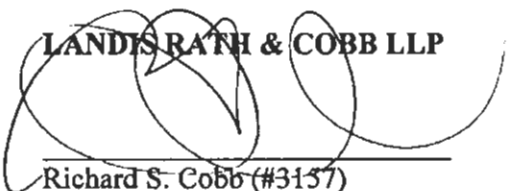
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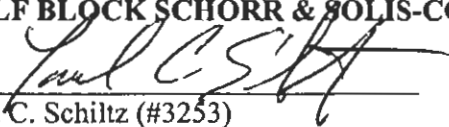
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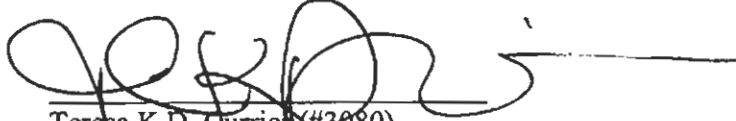
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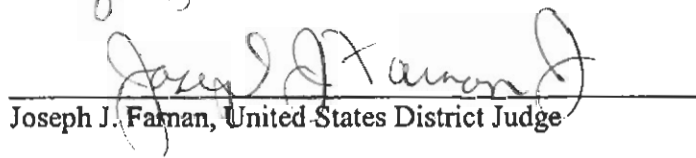
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It is so **ORDERED** this 27 day
of July, 2005.


Joseph J. Fauman, United States District Judge